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Testimony of Shirley Bergert¹

Regarding RB 855, An Act Revising Certain Social Services Statutes Before the Human Services Committee February 14, 2013, 10 am, LOB 2C

This testimony is focused on Sec. 1 of SB 855, regarding development of the annual energy assistance plan for expenditure of federal Low Income Home Energy Assistance Program funds, and reporting regarding such expenditures.

Recommended actions regarding Sec. 1 of RB 855:

- **Maintain August 1 requirement for release of energy assistance plan proposal** (proposed modification of CGS sec. 16a-41a(a)(1)); and
- **Retain reporting requirements regarding plan administration, moving the November 1 report to August 1** (proposed deletion of CGS sec. 16a-41a(a)(2) & (3)).

The bill proposes the following problematic changes to existing law:

1. The bill proposes delaying the date for OPM / DSS release of the proposed annual energy assistance plan from August 1 to October 1, too late to allow meaningful public input regarding the proposal to ensure its effectiveness and coordination with other programs. The energy assistance block grant is unique among the state's block grant proposals: it must be ready for program implementation before the heating season; and, other related programs critical to the poor build on the plan's eligibility and benefits so timely planning is needed.

- **October 1 is too late before the heating season begins to allow the Low Income Energy Advisory Board (LIEAB)² to meet and develop recommendations for the legislative hearing on the plan.** It is more convenient for OPM to have the energy assistance plan proposal issued when other block grant proposals are due, but delaying this proposed plan's release for two months is problematic for planning purposes. The current August 1 release provides time before the heating season begins to ensure the plan is analyzed and vetted for problems by LIEAB, low income advocates, contracted program administrators, volunteer social service providers who make it possible to timely administer energy assistance, and administrators of programs built on energy assistance.

¹ CT Legal Services represents low income state residents in civil legal matters. Shirley Bergert serves on the Low Income Energy Advisory Board, Energy Conservation Management Board, Fuel Oil Conservation Board, and the Advisory Board for the Institute for Sustainable Energy.

² LIEAB is charged with making recommendations to the legislature regarding the energy assistance plan (CGS sec. 16a-41b).

- **The plan must be approved by the legislature in time for community action agencies (CAAs) to begin delivering benefits when the program opens in November.**³ CAA staff (including seasonal staff) and the many volunteer social service agencies critical to timely administration of the program, must be fully trained in available benefits. The CAAs must be able to authorize timely fuel deliveries to avoid emergency situations. Computers must be programmed to support program administration in accordance with plan requirements. A plan proposal issued October 1, with a legislative hearing typically two weeks later, makes this chaotic at best.
 - **It is critical for the utilities to know the final income eligibility and benefit levels in the energy assistance program to plan and administer the statutorily mandated matching payment program.** CL&P, UI, SCG, CNG and YG run matching payment programs required by law to begin on November 1. These programs piggy-back on eligibility for energy assistance for a utility heat source (CGS sec. 16-262(b)). The calculation for expected customer monthly payments to qualify for matching payments is dependent on benefits the household is expected to receive in the energy assistance program. If the benefit levels are not accurately known, low income households may be unable to afford unnecessarily high customer payments and will lose the needed match.
 - **Eligibility requirements for the energy assistance program determine eligibility for the CL&P and UI administered energy efficiency assistance for low income households. For planning purposes, the utilities must timely know plan eligibility requirements.** The utility administered efficiency program, known as Home Energy Solutions – Income Eligible (HES-IE), is critical to assisting low income households keep their energy bills at an affordable level. (CGS sec. 16-245m).
2. **The bill proposes to delete all reporting requirements regarding plan implementation, reports critical to identifying and correcting issues. This proposed deletion should be rejected. The Nov. 1 report should be made available Aug. 1 when the proposed plan for the upcoming heating season is released, to inform potential plan modifications.** Currently DSS prepares two reports each year:
- **Jan. 30**, covering mid-heating season implementation by each CAA. The report is critical to identification of problems in program administration in time to implement corrective steps. In the past, for example, the state has over-committed funds and benefits were unpaid, and problems surfaced where households were not effectively served in parts of the state issues.
 - **Nov. 1**, covering the prior heating season's program implementation. Much of the required information is already routinely aggregated by DSS from data drawn from the computer systems used to implement the program. The report is an important source of information for policymakers (legislators), and those charged with advising them (LIEAB), to develop potential program improvements by identifying issues (*e.g.*, whether all towns and regions are receiving a fair share of assistance, whether renters and those with heat expenses included in their rent are being fairly served, and whether energy assistance is being appropriately coordinated with resources such as weatherization and conservation supports). For this reason, this report should be made available when the proposed plan is released on August 1.

Note that Sec. 3 of SB 855 also deletes an annual requirement that DSS report to the legislature on its implementation of the social services and community services block grants, including recommendations to ensure state receipt of all available federal funds.

³ Historically the program opened on Nov. 1, but for the last two winters OPM/DSS modified this practice to open in mid-November. This is a decision that should be reconsidered next winter as it puts many low income households at risk.